

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

SERGIO LEMUS RODRIGUEZ, and  
SANDRA ANN WARNER,

Defendants.

**4:18CR3076**

**ORDER**

Defendant Rodriguez has moved to continue the pretrial motion deadline, (Filing No. 36), because Defendant needs additional time to review recently received discovery. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant Rodriguez' motion to continue, (Filing No. 36), is granted.
- 2) **As to both defendants**, pretrial motions and briefs shall be filed on or before September 4, 2018.
- 3) **As to both defendants**, trial of this case is continued, and is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on October 1, 2018, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and **as to both defendants**, the additional time arising as a result of the granting of the motion, the time between today's date and September 4, 2018, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant

additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 20th day of August, 2018.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge